

REMARKS

In the Office Action¹, the Examiner objected to claim 4 and rejected claims 1-13 under 35 U.S.C. §102(e) as being unpatentable over *Naik et al.* (U.S. Pub. No. 2006/0294238, "*Naik*").

Claims 1, 3-5, 8, and 10 have been amended. Claims 1-13 are now pending.

I. Regarding the objection to the claims

The Examiner objected to claim 4 because "the preamble of dependent claim 4 recites a method whereas independent claim 3, from which claim 4 depends, recites a system". Applicant has amended claim 4 to recite "[t]he system of claim 3." Therefore, Applicant respectfully requests the Examiner withdraw the objection to claim 4.

II. Regarding the rejections of claims 1-13 under 35 U.S.C. §102(e) as being anticipated by *Naik*

Applicant respectfully traverses the rejection of claims 1-13 under 35 U.S.C. § 102(e) as anticipated by *Naik*. In order to properly establish that *Naik* anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 recites a method including, for example “dynamically reconfiguring resource allocations in the grid computing environment to maintain a predetermined resource allocation level” (emphasis added). *Naik* does not disclose at least this element.

Naik discloses controlling participation and performance management of a distributed set of resources in a grid environment including:

a hierarchy of resource managers formed by First-level resource managers. . . , Intermediate-level Grid Resource Managers. . . , and a Top-level Grid Resource Manager. . . [e]ach shared resource is equipped with a First-level resource manager. . . that is part of the hierarchical grid management infrastructure and provides policy management and control at the resource level.

([0048], lines 4-8, [0050], lines 1-4 (emphasis added). *Naik* thus discloses different levels of resource management and control in a hierarchical grid system. *Naik*, however, does not teach or suggest “dynamically reconfiguring resource allocations in the grid computing environment to maintain a predetermined resource allocation level,” as recited in claim 1.

Accordingly, for at least these reasons, *Naik* does not anticipate independent claim 1.

Independent claim 3, while of different scope from claim 1, recites elements similar to those of claim 1 and is thus also allowable over *Naik* for reasons similar to those discussed above for claim 1. Dependent claims 2 and 4 are also allowable at least due to their dependence from claims 1 and 3 respectively.

Claim 5 recites a method including, for example “reading, by the first service, a file to inform the first service of a relation with a second service, wherein the first service has a inferior relation with the second service, the inferior relation meaning that the second service can send a query for available computer resources to the first service,” (emphasis added). *Naik* does not disclose at least this element.

As noted above, *Naik* discloses different levels of resource management and control in a hierarchical grid system. *Naik*, however, does not teach or suggest “reading, by the first service, a file to inform the first service of a relation with a second service, wherein the first service has a inferior relation with the second service, the inferior relation meaning that the second service can send a query for available computer resources to the first service,” as recited in claim 5.

Accordingly, for at least these reasons, *Naik* does not anticipate independent claim 5.

Independent claims 8 and 10, while of different scope from claim 5 and from each other, recite elements similar to those of claim 5 and are thus also allowable over *Naik* for reasons similar to those discussed above for claim 5. Dependent claims 6, 7, 9, and 11-13 are also allowable at least due to their dependence from claims 5, 8, and 10.

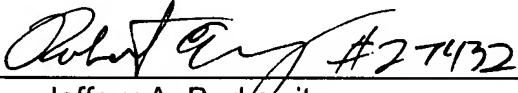
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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